

Subject: IMPT - City's Propossal to legalize Street Vending

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Hi Everyone -

As most of you know, the City is quickly moving forward on a proposed motion to legalize street vending - both for food and other retail (with food being the top priority).

I know this is a big issue for many of your stakeholders, and now is the time to make our voice heard on the matter. There have been several meetings between the proponents, the CLA (who is currently writing a report that the Econ. Dev Committee will take up - **most likely in early May**), and CM Price and Huizar (the co-authors of the motion). At this point, there are little details on what a program would look like, but I think there are many facets the City needs to consider as they move forward.

It is very impt that we get our thoughts on record with our respective electeds, Price/Huizar and even the CLA as they are forming this report.

Kent and his team have generously put together these main points - see below. I encourage each of you to:

- 1) review the issue with your board
- 2) to the extent possible, send a letter to your officials, including Price and Huizar
- 3) include the CLA's rep responsible for writing the report, Felipe Chavez

(felipe.v.chavez@lacity.org)

4) engage/inform your local Neighborhood Council on the issue and encourage them to get involved

5) encourage stakeholders in your district to send letters

I will keep everyone posted once the report is finalized and the hearing date is set. We will definitely need to organize and have reps at the hearing.

Thanks and let me know if you have any questions.

Here are a number of bullet points on illegal sidewalk vending:

1. **First Pilot Project:** In 1998, McArthur Park was used as a pilot project for sidewalk vending. It was a failure because of a lack of enforcement of illegal vending elsewhere. There was no reason for vendors to obey the rules & locate within the vending district. The City does not and will not have the capability to enforce sidewalk vending rules. Legitimizing sidewalk vending by establishing vending districts will only encourage the proliferation of vending throughout the City. The City does not have the resources to effectively enforce a legalized sidewalk vending regime city wide.
2. **Sidewalk Repairs:** Sidewalk vending would allow the private commercial use of the sidewalk at a time when the City of Los Angeles is considering making the adjacent property owner responsible for sidewalk repair & replacement. Allowing sidewalk vending could prevent the City from assigning responsibility of sidewalks to property owners.
3. **Liability:** The City already pays millions of dollars in claims for slip & falls on sidewalks. Allowing private commercial use in the form of sidewalk vending blurs the responsibility for sidewalk slip & falls...how can property owners take responsibility for this when they do not control the use of the sidewalk. Property owners cannot be held responsible for the sidewalks when the City permits the private use of these sidewalks for vending without their consent.
4. **ADA Compliance:** Sidewalks are often narrow & sidewalk vending can put the City at risk for ADA lawsuits & force pedestrians onto the street creating safety hazards. The City does not have the capability to enforce sidewalk vendors to comply with ADA .
5. **Trash Removal:** Sidewalk vending generates trash and unlike BIDS where property owners pay for trash removal on the public sidewalk there is no mechanism to ensure the payment of trash removal by sidewalk vendors. The Fashion District has operated a volunteer program for trash removal generated by mobile vendors for a number of years but with no enforcement, only 4 mobile vendors out of more than a hundred pay for this service. Almost all the rest of the mobile vendors use BID receptacles at no charge or dump their trash on the street. In addition most BIDs are paying millions of dollars per year to keep the sidewalks clean through daily sweeping & pressure washing. No sidewalk vendors will contribute to maintain neighborhoods through a BID assessment.
6. **Permit Compliance:** Normally when the City allows private use of the public sidewalks, permits are required. In the case of sidewalk dining these permits are revocable & are expensive. Even special events using the public sidewalk require permits. This gives the community and neighbors a chance to comment & express their concerns about the use of the sidewalk. How will the public have input on sidewalk vending in their neighborhood? Will sidewalk vendors need a permit to

sell at a particular location?

7. **Sales Tax and Property Taxes:** Commercial districts are integral to creating great neighborhoods and the addition of ground floor small businesses have been the key ingredient in the revitalization of every neighborhood in Los Angeles from downtown to Granada Hills & Lincoln Heights. Sidewalk vendors do not pay BID assessments and do not contribute to these neighborhoods. Bricks & mortar small businesses go through an expensive permitting process and spend a large amount of money providing restrooms and common areas for their customers. Sidewalk vendors have no such requirements & therefore have a competitive advantage over these neighborhood small businesses. In fact their common area is the public sidewalk which is paid for by property taxes, the responsibility of property owners and merchants through their rents not by sidewalk vendors. There is also no mechanism to ensure that sales taxes paid will benefit the City of Los Angeles. This is especially true when many commissaries are located outside the City of LA.
8. **Diminished Quality of Life in Neighborhoods:** Mobile vendors who pay one parking ticket a day as their rent already use the sidewalk as their customer space and unfairly compete with neighborhood small businesses. Residents and businesses have no say as to where these mobile vendors locate or their hours of operation. Legitimizing sidewalk vending will continue to erode the viability of neighborhood businesses and will ultimately lead to the deterioration of the quality of life of its residents.
9. **The Fashion District is already overrun with mobile food vendors.** This is especially true on weekends . For example on Saturday March 22, 2014 there were 91 mobile food vendors in the district concentrated in heavy pedestrian blocks. The highest pedestrian blocks had 8-9 mobile vendors per block. As the City has no control over where mobile vendors can set up it would be totally unsafe for pedestrians to be faced with sidewalk vendors taking the same portion of sidewalk as mobile vendors Mobile vendors use the sidewalk for their customers who order food from the sidewalk. In order to ensure public safety no sidewalk vending should be permitted where curb parking is legal to prevent mobile & sidewalk vendors using the same portion of sidewalk. Otherwise it will be a significant safety hazard for pedestrians. Similarly it will also be a significant safety hazard to have sidewalk vending at intersections. Finally given the large number of unregulated mobile food vendors why is it necessary to allow sidewalk vending when anyone can participate in mobile vending in Los Angeles?